

House File 2382 - Introduced

HOUSE FILE _____
BY FREVERT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for an agricultural hauling assessment imposed
2 on the owners of motor trucks making deliveries to the first
3 purchasers.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5874HH 82
6 da/nh/8

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1 1 Section 1. NEW SECTION. 321.468 MOTOR TRUCKS ==
1 2 AGRICULTURAL DELIVERY ASSESSMENT.
1 3 1. The owner of a motor truck which hauls an agricultural
1 4 commodity shall pay a delivery assessment as follows:
1 5 a. For milk or products made from the milk delivered to
1 6 the first purchaser as provided in section 179.1, the delivery
1 7 assessment shall be at the same rate as the assessment
1 8 specified in section 179.5 which shall be collected by the
1 9 first purchaser as provided in that section, regardless of
1 10 whether the assessment under chapter 179 is collected. The
1 11 moneys shall be remitted to the treasurer of state in a manner
1 12 provided by the treasurer of state.
1 13 b. For any live domesticated bovine animal regardless of
1 14 age delivered to the purchaser as provided in section 181.11,
1 15 the delivery assessment shall be at the same rate specified in
1 16 2004 Iowa Acts, chapter 1037, section 17, or the higher rate
1 17 if established by the referendum conducted pursuant to section
1 18 181.15. The delivery assessment shall be collected by the
1 19 purchaser as provided in section 181.11, regardless of whether
1 20 the assessment under chapter 181 is collected. The delivery
1 21 assessment shall be remitted to the treasurer of state in a
1 22 manner provided by the treasurer of state.
1 23 c. For sheep or wool delivered to the first purchaser as
1 24 provided in section 182.14, the delivery assessment shall be
1 25 at the same rate as the assessment specified in section 182.14
1 26 which shall be collected by the first purchaser in the same
1 27 manner as provided in that section, regardless of whether the
1 28 assessment under chapter 182 is collected. The delivery
1 29 assessment shall be remitted to the treasurer of state in a
1 30 manner provided by the treasurer of state.
1 31 d. For porcine animals and all parts of porcine animals
1 32 delivered to the first purchaser as provided in section
1 33 183A.6, the assessment shall be at the same rate as the
1 34 assessment specified in section 183A.6 which shall be
1 35 collected by the first purchaser as provided in that section,
2 1 regardless of whether the assessment under chapter 183A is
2 2 collected. The moneys shall be remitted to the treasurer of
2 3 state in a manner provided by the treasurer of state.
2 4 e. For egg products delivered to the first purchaser as
2 5 provided in section 184.3, the delivery assessment shall be at
2 6 the same rate as the assessment specified in section 184.3 or
2 7 the higher rate if established by the referendum conducted
2 8 pursuant to section 184.5. The delivery assessment shall be
2 9 collected by the first purchaser as provided in that section,
2 10 regardless of whether the assessment under chapter 184 is
2 11 collected. The moneys shall be remitted to the treasurer of
2 12 state in a manner provided by the treasurer of state.
2 13 f. For soybeans delivered to the first purchaser as
2 14 provided in section 185.23, the delivery assessment shall be
2 15 at the same rate as the state assessment specified in section
2 16 185.21 which shall be collected by the first purchaser as
2 17 provided in section 185.23, regardless of whether the
2 18 assessment under chapter 185 is collected. The moneys shall
2 19 be remitted to the treasurer of state in a manner provided by

2 20 the treasurer of state.
2 21 g. For corn delivered to the first purchaser as provided
2 22 in section 185C.23, the delivery assessment shall be at the
2 23 same rate as the state assessment specified in section 185C.21
2 24 or the higher rate if established by the referendum conducted
2 25 pursuant to section 185C.25. The delivery assessment shall be
2 26 collected by the first purchaser as provided in section
2 27 185C.23, regardless of whether the state assessment under
2 28 chapter 185C is collected. The moneys shall be remitted to
2 29 the treasurer of state in a manner provided by the treasurer
2 30 of state.

2 31 2. The moneys remitted to the treasurer of state pursuant
2 32 to this section shall be credited to the road use tax fund
2 33 created in section 312.1.

2 34 EXPLANATION

2 35 This bill provides that the owner of a motor truck which
3 1 hauls an agricultural commodity must pay a delivery assessment
3 2 to the first purchaser of that agricultural commodity. The
3 3 first purchaser is required to remit the moneys to the
3 4 treasurer of state to be credited to the road use tax fund.

3 5 This system of collection and payment is modeled upon the
3 6 so-called check-off system in which the first purchaser of an
3 7 agricultural commodity deducts a specific amount from the
3 8 purchase price which would otherwise have been paid to the
3 9 producer and remits the moneys to the treasurer of state for
3 10 transfer to the appropriate commodity organization for
3 11 expenditure to support promotion and education related to the
3 12 commodity. The rate of assessment is the same as for the
3 13 state assessment, regardless of whether a state assessment is
3 14 no longer collected because of a superseding federal
3 15 assessment.

3 16 The rate of assessment is as follows: (1) for milk or
3 17 products made from the milk, three-fourths of 1 percent of the
3 18 gross value of milk; (2) for beef cattle, 50 cents per head
3 19 unless another rate is established by producer referendum; (3)
3 20 for sheep or wool, 10 cents per head on sheep and 2 cents for
3 21 each pound of wool; (4) for porcine animals, .0025 of the
3 22 gross sale price; (5) for egg products, 2.5 cents on each 30
3 23 dozen eggs unless a higher referendum is established by
3 24 producer referendum; (6) for soybeans, one-half of 1 percent
3 25 of the net market price; and (7) for corn, one-quarter of 1
3 26 cent per bushel, unless a higher assessment is established by
3 27 producer referendum.

3 28 LSB 5874HH 82

3 29 da/nh/8